

ELC 1.3
DEFINITIONS

Unless the context clearly indicates otherwise, terms used in these rules have the following meanings:

(a) "Association" means the Washington State Bar Association.

(b) "Association Counsel" means counsel for the Association other than disciplinary counsel.

(c) "Bar file" means the pleadings, motions, rulings, decisions, and other formal papers filed in a proceeding.

(d) "Board" when used alone means the Disciplinary Board.

(e) "Chair" when used alone means the Chair of the Disciplinary Board.

(f) "Clerk" when used alone means the Clerk to the Disciplinary Board.

(g) "Disciplinary action" means sanctions under rule 13.1 and admonitions under rule 13.5.

(h) "Final" means no review has been sought in a timely fashion or all appeals have been concluded.

(i) "Grievant" means the person or entity who files a grievance, except for a confidential source under rule 5.2.

(j) "Hearing officer" means the person assigned under rule 10.2(a).

(k) "Mental or physical incapacity" includes, but is not limited to, insanity, mental illness, senility, or debilitating use of alcohol or drugs.

(l) "Party" means disciplinary counsel or respondent, except in rules 2.3(h) and 2.6(d) "party" also includes a grievant.

(m) "Respondent" means a lawyer against whom a grievance is filed or a lawyer investigated by disciplinary counsel.

(n) "APR" means the Admission and Practice Rules.

(o) "CR" means the Superior Court Civil Rules.

(p) "RAP" means the Rules of Appellate Procedure.

(q) "RPC" means the Rules of Professional Conduct adopted by the Washington Supreme Court.

(r) **Words of authority.**

(1) "May" means "has discretion to," "has a right to," or "is permitted to."

(2) "Must" means "is required to."

(3) "Should" means recommended but not required, except:

(A) in rules 2.3(h) and 2.6, “should” has the meaning ascribed to it in the Code of Judicial Conduct; and

(B) in Title 12, “should” has the meaning ascribed to it in the Rules of Appellate Procedure. RAP 1.2 (b)

[Adopted effective October 1, 2002; Amended effective January 1, 2014; January 1, 2015.]